IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.401 of 2007

Dated: January 05, 2007

Between:

Devineni Vimala, W/o. Sobhan Babu, aged about 24 years, Occ: Unemployee, R/o. Padamati kandrika (Vil), Chejerla Mandal, Nellore District.

… Petitioner

And

The Govt. of A.P. rep. by its Principal Secretary, Women Development, Child and Disabled Welfare (ICDS) Department, Secretariat, Hyderabad, and others.

… Respondents

Order:

This Writ Petition has been filed by the petitioner, who is an applicant to the post of Anganwadi Workers, seeking Mandamus to declare the action of the respondents 1 to 5 in entertaining the application of the sixth respondent to the post of Anganwadi Workers in Padamati Kandrika Village, Chejerla Mandal, Nellore District as

arbitrary and illegal.

2. The case of the petitioner, who passed 9th class, is that she studied 10th class but failed in the same. It is stated that the fourth respondent, the Project Director, ICDS, Nellore District, has issued notification, inviting applications for appointment to the post of Anganwadi Workers in Padamati Kandrika Village, Chejerla Mandal, Nellore District. It is stated that as per the guidelines prescribing educational qualifications to the said post, if no candidate who has passed 10th class is available, a candidate who has appeared 10th class, but failed, is eligible to be considered and as per the norms notified, the applicant should be local resident of the said village. The grievance of the petitioner is that though sixth respondent is not a resident of the said village and is a resident of Nuthakkivari Kandrika village, respondents have sent call letter to her to attend interview for the aforesaid post and she attended interview on 30-12-2006. The case of the petitioner is that she is the only candidate eligible to be appointed in the village, as there are no candidates in the village who have passed 10th class.

3. Heard learned counsel for the petitioner and learned Government Pleader for Women Development and Child Welfare appearing for the respondents.

4. Admittedly, no final orders have been passed after interviews were conducted to the aforesaid post. Merely because a call letter is sent to an interviewee, it cannot be construed that he/she is appointed to the said post. In this case, merely because the sixth respondent was called for interview, it cannot be presumed that she will be appointed.

5. As much as it is the case of the petitioner that she has applied to the post of Anganwadi Worker pursuant to the notification issued by the fourth respondent, I deem it appropriate to dispose of the Writ Petition with a limited direction, permitting the petitioner to submit a representation to the fourth respondent pointing out the ineligibility of the sixth respondent, within a period of one week from today. On such representation being filed, the fourth respondent shall consider the same and pass appropriate orders before final selections are made for appointment to the post of Anganwadi Workers in Padamati Kandrika village, Chejerla Mandal, Nellore District. It is made clear that if no such representation is made within the time stipulated above, it is open for the respondents to proceed with the selections.

6. The Writ Petition is accordingly disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

January 05, 2007
N.B. **Furnish C.C. in three days**
B.O.
MRR